



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Pelcman, *et al.*

Appl. No.: 10/628,309

Filed: July 29, 2003

For: **Novel Compounds with
Analgesic Effect**

Art Unit: 1625

Examiner: E. Huang

Atty. Dkt.: 7567/80568

Response to Restriction Requirement

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, MS Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

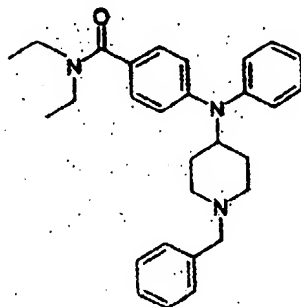
In response to the Office Action dated June 9, 2004, in which the Examiner imposed a restriction requirement in the above-captioned application, Applicants hereby elect restriction Group I, which includes claim 4 and generic claims 1-3, 5-15, 18, 19, and 22-24. The claims in this group are directed to compounds in which $n = 1$ and compositions and methods employing these compounds. Enclosed herewith is a Second Preliminary Amendment in which claims have been rewritten in a manner that complies with the restriction requirement.

This election is made without traverse.

With respect to the species election required in the Office Action, Applicants hereby elect the compound shown below:

08/06/2004 JBALINAM 00000018 061135 10628309

01 FC:1201 688.00 DA
02 FC:1202 882.00 DA



The above elected compound is the first compound shown in original claim 4 (now cancelled) and is the subject of claim 57 in the enclosed Second Preliminary Amendment. In total, claims 25-62 encompass the compound.

Applicants do not believe that any fees, other than those that may be already provided for herewith, are required for the filing of the present document. Nevertheless, any additional fees that may be required may be charged to our Deposit Account No. 06-1135 under Order No. 7567/80568.

If the Examiner believes that a phone call may help to expedite this matter, the Examiner is invited to call Applicants' undersigned attorney at (202) 419-7013.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

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